IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION NO.16740 OF 2004

For Approval and Signature:

HON'BLE MR.JUSTICE RAVI R.TRIPATHI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

RAMKRISHNA FATEHCHAND LALA

Versus

DEPOT MANAGER, S.T. DEPOT, LIMDI & ANR.

Appearance:

1. Special Civil Application No. 16740 of 2004

MS. VINITA S. VINAYAK for Petitioner

MR. ASHISH M. DAGLI for Respondents

CORAM : HON'BLE MR.JUSTICE RAVI R.TRIPATHI

Date of decision: 14/02/2005

ORAL JUDGEMENT

1. Rule.

Mr.A.M.Dagli, learned Advocate, appears and waives service of Rule on behalf of the respondents.

2. The petitioner has approached this Court being aggrieved of Order dated 6th October, 2004 passed by the

Controlling Authority under the Payment of Gratuity Act, 1972, Surendranagar in Gratuity Application No.11 of 2004.

3. Mr.Ashish M.Dagli, learned Advocate appearing for the respondent-Gujarat State Road Transport Corporation, states that so far as payment of gratuity amount is concerned, the same is already paid to the petitioner. So far as payment of leave encashment amount is concerned, the same has become payable under a settlement, and the same is being paid to all the employees in a phase manner. He states that the petitioner will also be paid the amount without making any discrimination.

4. In view of the statement made by the learned Advocate for the respondent-Corporation, learned Advocate for the petitioner states that the petition does not survive. However, she requests that liberty be reserved to the petitioner to approach the Court in case of difficulty.

5. The petition is disposed of with a liberty to the petitioner to approach this Court in case of difficulty. Rule is made absolute. No order as to costs.

(Ravi R. Tripathi, J.)
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